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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,845	03/16/2004	Marcee Burns	030828 (BLL-0179)	3111
36192 7590 03/16/2009 AT&T Legal Department - CC Attn: Patent Docketing Room 2A-207 One AT&T Way Bedminster, NJ 07921			EXAMINER LAN, TZU-HSIANG	
			ART UNIT 3623	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/801,845	<b>Applicant(s)</b> BURNS ET AL.	
	<b>Examiner</b> TZU-HSIANG (SEAN) LAN	<b>Art Unit</b> 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/16/2004 and 2/22/2007</u> .                                 | 6) <input type="checkbox"/> Other: _____                          |

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***Introduction***

The following is a non-final office action in response to the communications received on March 16, 2004. Claims 1-19 are now pending in this application.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 12-19** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 12 recites the limitation “said timeliness report” in preamble. There is insufficient antecedent basis for this limitation in the claim. Claim 13 depends on claim 12; therefore rejected on the basis of dependency.

Claim 14 recites the limitation “said cost report” in preamble. There is insufficient antecedent basis for this limitation in the claim. Claim 15 depends on claim 14; therefore rejected on the basis of dependency.

Claim 16 recites the limitation “said telecommunication equipment order preparation report” in preamble. There is insufficient antecedent basis for this limitation in the claim. Claim 17 depends on claim 16; therefore rejected on the basis of dependency.

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Claim 18 recites the limitation "said driver report" in preamble. There is insufficient antecedent basis for this limitation in the claim. Claim 19 depends on claim 18; therefore rejected on the basis of dependency.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claims 1-4** are rejected under 35 U.S.C. 101 because claims 1-14 describe a process without an obvious tie to another statutory class. In order for a method to be considered a “process” under 35 U.S.C. 101, a claimed process must either: (1) be tied to a particular machine or apparatus or (2) transforms a particular article to a different state or thing. This is called “machine-or-transformation test.” See *In re Bilski*, 545 F.3d 943, 88 USPQ2d 1385 (Fed. Cir. 2008). There are two corollaries to the machine-or-transformation test. First, a mere field-of-use limitation is generally insufficient to render an otherwise ineligible method claim patent-eligible. This means the machine or transformation must impose meaningful limits on the method claim's scope to pass the test. Second, insignificant extra-solution activity will not transform an unpatentable principle into a patentable process. This means reciting a specific machine or a particular transformation of a specific article in an insignificant step, such as a data gathering or outputting, is not sufficient to pass the test.

A method/process claim that fails to meet one of the above requirements is not in compliance with the statutory requirement of 35 U.S.C. 101 for patent eligible subject matter. Here claims 1-4 fail to meet the above requirements because they do not show “meaningful” hardware involvement such as a processor or computer to execute method steps. Since the applicant’s method steps fail the first prong of the new Federal Circuit

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decision, as they are not tied to another statutory class and can be performed without the use of a particular apparatus, claims 1-14 are non-statutory.

When amending claims 1-4, applicant is reminded that nominal recitations of structure in an otherwise ineligible method fail to make the method a statutory process. See *Benson*, 409 U.S. at 71-72. As *Comiskey* recognized, "the mere use of the machine to collect data necessary for application of the mental process may not make the claim patentable subject matter." *Comiskey*, 499 F.3d at 1380 (citing *In re Grams*, 888 F.2d 835, 839-40 (Fed. Cir. 1989)) incidental physical limitation, such as data gathering, field of use limitation, and post-solution activities are not enough to convert an abstract idea into a statutory process. In other words, nominal or token recitations of structure in a method claim do not convert an otherwise ineligible claim into an eligible one.

**Claims 9-19** are rejected under 35 U.S.C. 101 because claims 9-19 describe a computer system with subject such a host system, client system, communication network, repository database, web server software, and user interface to carry out various functions. All the subject means can be reasonably interpreted as software. Software application is a nonstatutory subject matter under 35 U.S.C. 101.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 1, 3, 5, 7, 9-10, and 14-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6081810 to Rosenzweig et al. ("**Rosenzweig**") in view of US patent application 2002/0147668 to Smith et al. ("**Smith**") further in view of US patent 7430517 to **Barton**.

**As to claim 1**, Rosenzweig discloses the claimed invention substantially including a method for providing web-based reporting services to a business (col. 4 lines 32-34) entity, comprising:

**providing a user interface to a client system in response to a request for a report** (col. 4 line 28 – col. 5 line 15 i.e. browser with user interface), **said report specifying a report type** (col. 3 lines 1-24 i.e. every report associate with a report type);

**providing a requester with a template only if said requester is authorized to receive said report** (col. 4 lines 38-60 user interface for requesting report corresponds to template);

**prompting said requester to enter request data in said template** (col. 6 lines 5-36 i.e. report type, date, and possibly a segment which requester wishes to view);



**upon receiving said request data, searching a database for a dataset corresponding to said request data** (col. 5 lines 5-14 receiving request data such as vender index, then search database for data set corresponding to said request);

**if said dataset is found, retrieving at least one order from said database in accordance with a report type requested** (Fig. 1 i.e. an order from a specific vendor is retrieved from data base accordance with a report type account payable); and

**making said report available to said requester over a web-based network** (col. 6 lines 5-14 and col. 6 lines 5-36);

**wherein said report type comprises at least one of: a cost report** (Fig. 1); **and a custom search report** (Fig 1, and col. 6 lines 5-36). Since applicant used the language “at least one of,” teaching of one report will be sufficient to address this limitation.

However, Rosenzweig does not explicitly disclose:

retrieving budget data related to said at least one order;

compiling a report using said at least one order and said budget data; and

wherein said report includes at least one of a cost driver and a timeliness driver;

Smith discloses:

**Retrieving budget data related to said at least one order** (Smith, Fig 5a-5f, ¶ 46-47, and ¶ 59-63); and

**Compiling a report using said at least one order and said budget data** (Smith, Fig 5a-5f, ¶ 46-47, and ¶ 59-63).

Barton discloses:

**Report includes at least one of a cost driver and a timeliness driver** (Fig 14-15d i.e. cost for a task and associated time to finish a task).

Although all three references does not explicitly recites “returning error message when dataset is not found,” an official notice is taken that it is old and well known at the time of invention for a system to return an error message when certain dataset is missing or can not be retrieved.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig with Smith and Barton since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**As to claim 3**, see the discussion in claim 1 above. Rosenzweig, Smith and Barton further disclose:

in-place cost factors operable for identifying a total cost for an order or project including any labor costs, said total cost relating to standard activities performed by, and on behalf of, an enterprise (Smith, Fig 5a-5f, ¶ 46-47, and ¶ 59-63 i.e. labor cost and material cost);

custom detail costs operable for identifying expenditures that relate to non-standard activities performed by, and on behalf of, said enterprise (Smith, Fig 5a-5f, ¶ 46-47, and ¶ 59-63 i.e. permit cost); and

miscellaneous costs operable for identifying costs that are not related to said in-place cost factors and said custom detail costs (Smith, Fig 5a-5f, ¶ 46-47, and ¶ 59-63 i.e. subcontractor cost).

In-place cost factor, custom detail costs, and miscellaneous cost are cost allocation based on enterprise management's discretion. In the example provided by Smith, examiner interprets labor and material cost as in-place cost relating to standard activities performed by an enterprise; permit cost is interpreted as non-standard activities performed by said enterprise; and subcontractor cost is interpreted as not related to in-place cost and custom detail cost. However, one with ordinary skill in the art at the time of the invention would be able to allocate cost differently if one so desires to do so, because cost categorization is well known in the art at the time of the invention.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig and Barton with Smith since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**As to claim 5**, Rosenzweig, Smith and Barton disclose the claimed invention substantially. All the limitations of claim 5 are of the same scope as the limitations of claim 1, and are therefore rejected on the same basis, with following noted exceptions. Claim 5 recites a storage medium encoded with machine-readable computer program

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code to carry out method steps of claim 1. ¶ 35-39 of Smith discloses a computer readable medium such as CD-Rom or RAM capable of storing instruction of claim 1 and carry out method steps of claim 1 when executed by a computer.

**As to claim 7**, see the discussion in claim 5 above. All the limitations of claim 7 are of the same scope as the limitations of claim 3, and are therefore rejected on the same basis.

**As to claim 9**, Rosenzweig, Smith and Barton disclose the claimed invention substantially. All the limitations of claim 9 are of the same scope as the limitations of claim 1, and are therefore rejected on the same basis, with following noted exceptions. Claim 9 recites a system for providing web-based reporting services to a telecommunications entity, comprising:

a host system in communication with at least one client system via communications network, said host system comprising a server and a data repository storing databases of budget data and order data;

wherein said server executes web server software, a budget tool, and an ordering tool;

a user interface accessible to said at least one client system, said user interface including templates operable for entering report request data by a user of said at least one client system.

Rosenzweig, Smith and Barton further disclose a system for providing web-based reporting services to a telecommunication entity (col. 4 lines 32-34 i.e. business entity) comprising:

a host system in communication with at least one client system via communications network, said host system comprising a server and a data repository storing databases of budget data and order data (Rosenzweig, fig 3-4 shows system, and Figure 1 shows data includes budget and order data);

wherein said server executes web server software, a budget tool, and an ordering tool (Smith, ¶ 39-45, and Fig 1b-5a);

a user interface accessible to said at least one client system (col. 4 line 28 – col. 5 line 15 i.e. browser with user interface. Client system show in Fig 3-4), said user interface including templates operable for entering report request data by a user of said at least one client system (Rosenzweig, col. 4 lines 38-60 i.e. user interface for requesting report corresponds to template or Barton, Fig 15-16).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig with Smith and Barton since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**As to claim 10**, see the discussion in claim 9 above. All the limitations of claim 10 are of the same scope as the limitations of claim 1, and are therefore rejected on the same basis.

**As to claim 14**, see the discussion in claim 9 above. Rosenzweig, Smith and Barton further disclose:

A summary cost report including an average and total for all field selected in said report request (Barton, Fig 15B); and

A detail cost report including a line-by-line itemization for reach project for all fields selected in the report request (Barton, Fig 15B).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig and Smith with Barton since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**As to claim 15**, see the discussion in claim 14 above. All the limitations of claim 15 are of the same scope as the limitations of claim 3, and are therefore rejected on the same basis.

**As to claim 16**, see the discussion in claim 9 above. Rosenzweig, Smith and Barton further disclose an equipment ordering report (Fig 15a-15d i.e. shipment for

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equipment) incorporating projects or orders containing appendices that are billable by vendor during a period of time for review (Barton, Fig 15A -15B).

Rosenzweig, Smith and Barton do not disclose an overall percentage of projects contain appendices. However, an official notice is taken that it was old and well known at the time of the invention to derive a percentage of projects from a total project by dividing project with appendices over total number of projects. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate an overall percentage of project contain appendices to facilitate monitoring of projects in relationship with equipment orders.

Although Rosenzweig, Smith and Barton do not explicitly disclose that ordering report is specific towards telecommunication equipment, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply this feature in telecommunication equipment order because in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**As to claim 17**, see the discussion in claim 16 above. Rosenzweig, Smith and Barton further disclose that equipment order preparation report further includes field of data including at least one of:

a state (Barton, Fig 15B);

an order count (Barton, Fig 15B i.e. total number of BOL#);

a supplier code identify said vendor (Fig 5); and

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a total number of billable appendices (Fig 15B).

Since applicant uses the phrase “at least one of,” citation for one feature will be sufficient to cover the scope of the claim. Additional citations are provided to further demonstrate the scope of disclosed by prior art.



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**Claim 2, 6, and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6081810 to Rosenzweig et al. ("**Rosenzweig**") in view of US patent publication 2002/0147668 to Smith et al. ("**Smith**"), in view of US patent 7430517 to **Barton** and further in view of US patent publication 20040073434 to Volquardsen et al.

("Volquardsen")

**As to claim 2**, see the discussion in claim 1 above. Rosenzweig, Smith, and Barton do not explicitly disclose associating model data with order and budget report. Volquardsen discloses:

Retrieving model-based ordering system data and compiling a report using model-based order system data with at least one order and said budget (Fig 18b-20 i.e. parts number correspond to model data, and each model order has a listing price corresponds to budget, and an order).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig, Smith, and Barton with Volquardsen because incorporating model data with budget and order information would provide more detailed expense report for company's budget analysis.

**As to claim 6**, see the discussion in claim 5 above. All the limitations of claim 6 are of the same scope as the limitations of claim 2, and are therefore rejected on the same basis.

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**As to claim 11**, see the discussion in claim 9 above. All the limitations of claim 11 are of the same scope as the limitations of claim 2, and are therefore rejected on the same basis, with following noted exceptions. Claim 11 recites model-based ordering system data stored in said data repository; wherein said report type is model report.

Volquardsen further disclose:

Model-based ordering system data stored in data repository (Fig 1b, ¶ 74-77);

Wherein said report type is model report (Fig 20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig, Smith, and Barton with Volquardsen since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**Claims 4 and 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6081810 to Rosenzweig et al. ("**Rosenzweig**") in view of US patent publication 2002/0147668 to Smith et al. ("**Smith**"), in view of US patent 7430517 to **Barton** and further in view of US patent 6640143 to Lee, Jr. et al. ("**Lee**")

**As to claim 4**, see the discussion in claim 1 above. Rosenzweig, Smith and Barton further disclose:

a completion date met operable for identifying timeliness of completion of activities performed (Barton, Fig 14 – 15d, i.e. delivered date for task completion).

However, Rosenzweig, Smith and Barton do not explicitly disclose a turnaround time and an advance notice interval. Lee discloses:

Gather performance data regarding a turnaround time operable for identifying a total time expended between transmitting a general request and receiving a response to said general request (Lee, col. 2 lines 41-68 and table 4, i.e. average response time. One of ordinary skill would be able to calculate the response time by subtracting time difference between request-responding time and request transmitting time. Further, one of ordinary skill in the art would be motivated to incorporate the result into performance report to evaluate subcontractors); and

an advance notice interval operable for identifying an average advance notice given to at least one of an equipment provider and service provider to initiate an activity (Lee, col. 2 lines 41-68 and table 6 i.e. average response interval for repair. One of ordinary skill would be able to calculate the average advance notice interval by

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subtracting time difference between query respond time and query request time then divide the value to multiple working orders. Further, one of ordinary skill in the art would be motivated to incorporate the result into performance report to evaluate subcontractors).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig, Smith, and Barton with Lee because incorporating average advance notice time and turnaround time would provide more detailed information regarding each service providers; hence, assist future contractor selection for the enterprise.

**As to claim 8**, see the discussion in claim 5 above. All the limitations of claim 8 are of the same scope as the limitations of claim 4, and are therefore rejected on the same basis.

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**Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6081810 to Rosenzweig et al. ("**Rosenzweig**") in view of US patent publication 2002/0147668 to Smith et al. ("**Smith**"), in view of US patent 7430517 to **Barton** and further in view of US patent publication 20040186763 to Charles Smith. ("**Charles**")

**As to claim 12**, see the discussion in claim 9 above. Rosenzweig, Smith and Barton further disclose that timeliness report includes information relating to overall ordering that transpire between an enterprise and its vendors and contractors (Rosenzweig, Figure 1).

However, Rosenzweig, Smith, and Barton do not disclose that timeliness report includes engineering and install process information.

Charles discloses:

Incorporating engineering (Fig 10, procedure column, such as switchgear transfer) and install process (Fig 10; job status complete or in process) with ordering (Fig 10, job No.) that transpire between an enterprise and its vendors and contractors (Fig 10, multiple clients).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig, Smith, and Barton with Charles because additional information presents more comprehensive report for the enterprise evaluation.

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**Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6081810 to Rosenzweig et al. ("**Rosenzweig**") in view of US patent publication 2002/0147668 to Smith et al. ("**Smith**"), in view of US patent 7430517 to **Barton**, in view of US patent publication 20040186763 to Charles Smith. ("**Charles**") and further in view of US patent 6640143 to Lee, Jr. et al. ("**Lee**").

**As to claim 13**, see the discussion in claim 12 above. All the limitations of claim 13 are of the same scope as the limitations of claim 4, and are therefore rejected on the same basis. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig, Smith, Barton, and Charles with Lee since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

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**Claim 18-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6081810 to Rosenzweig et al. ("**Rosenzweig**") in view of US patent publication 2002/0147668 to Smith et al. ("**Smith**"), in view of US patent 7430517 to **Barton**, in view of US patent 5799286 to Morgan et al. ("**Morgan**")

**As to claim 18**, see the discussion in claim 9 above. Rosenzweig, Smith, and Barton do not explicitly show a driver type report. However, Morgan discloses driver type report (Fig 18A-18B) including at least one of:

central office space conditioning work (Morgan, Fig 12 i.e. space usage/cost);  
work activities for standby engines (Morgan Fig 14 i.e. unutilized equipment); and  
work activities related to power provisioning and maintenance (Fig 13, and col. 13 liens 17-35 and Table J i.e. work activity related to equipment)

Since applicant uses the phrase "at least one of," citation for one feature will be sufficient to cover the scope of the claim. Additional citations are provided to further demonstrate the scope of disclosed by prior art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenzweig, Smith, and Barton with Morgan since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

**As to claim 19**, see the discussion in claim 18 above. Rosenzweig, Smith, Barton, and Morgan further disclose that said driver report includes at least one of:

an overall driver summary report providing aggregated total model usage and related dollar expenditures for a respective driver (Morgan, Figure 18A-B and Table J i.e. total model usage equal to over all equipment usage);

showing report during a requested period of time (Barton, Figure 15)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combined overall driver summary report disclosed by Morgan with showing of requested time period disclosed by Barton and derive the claimed limitation since claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Since applicant uses the phrase “at least one of,” citation for one feature will be sufficient to cover the scope of the claim.



**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 20030004768	Bury et al.	Fig 5, to claim 19
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to TZU-HSIANG (SEAN) LAN whose telephone number is (571)270-7054. The examiner can normally be reached on Monday-Friday 8am-4pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth V. Boswell can be reached on (571)272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/TZU-HSIANG (SEAN) LAN/  
Examiner, Art Unit 3623

/Beth V. Boswell/  
Supervisory Patent Examiner, Art Unit 3623